

REMARKS OF
HENRY A. WAXMAN,
CHAIRMAN,
SUBCOMMITTEE ON HEALTH AND THE ENVIRONMENT
BEFORE
THE PLANNED PARENTHOOD FEDERATION OF AMERICA
NOVEMBER 19, 1982

I'M PLEASED TO BE HERE TODAY FOR MY ANNUAL APPEARANCE BEFORE THE PLANNED PARENTHOOD FEDERATION.

I'VE WORKED LONG AND OFTEN WITH YOUR ORGANIZATIONS--BOTH IN CALIFORNIA AND IN WASHINGTON. I'VE SUPPORTED LEGISLATION WITH YOU AT THE STATE AND FEDERAL LEVEL TO CREATE A NETWORK OF PROGRAMS OF LOCAL FAMILY PLANNING CLINICS. AND I'VE FOLLOWED THAT LEGISLATION WITH YOU AS YOU HAVE SERVED FOUR MILLION CLIENTS.

BUT AFTER ALL THIS TIME, IT SEEMS TO ME THAT THIS PAST YEAR HAS BEEN THE BUSIEST YET.

ALMOST TWO YEARS AGO NOW, A GROUP OF SELF-RIGHTEOUS POLITICIANS CAME TO POWER IN WASHINGTON. THESE MEN PROCLAIMED A PHILOSOPHY AND POLICY OF VICTORIANISM THAT WOULD DESTROY THE HEALTH PROGRAMS THAT YOU HAVE CREATED AND REPLACE THEM WITH COLD SHOWERS AND SERMONS.

FROM THIS COMBINATION OF RECKLESSNESS AND SMUG SUPERIORITY, THE NATION COULD EXPECT

AN EPIDEMIC OF TEENAGE PREGNANCY,
A RISE IN INFANT MORTALITY,
THE SPREAD OF UNDETECTED VENEREAL DISEASE, AND
MORE--NOT FEWER ABORTIONS.

AS I TOLD YOU TWO YEARS AGO, ONE CONCLUSION IS CLEAR: THE REAGAN ADMINISTRATION HAS DECLARED WAR ON PLANNED PARENTHOOD, AS AN ORGANIZATION AND AS AN IDEA.

BUT IT IS NOW HALFWAY THROUGH THE FOUR-YEAR WAR, AND THE REAGAN WHITE HOUSE AND ITS COHORTS HAVE WON FEW BATTLES AND CANNOT NOW WIN THEIR WAR ON FAMILY PLANNING.

BEFORE I DESCRIBE THE COMING EVENTS, HOWEVER, LET ME OUTLINE A FEW OF THE REAGAN ATTACKS ON THE PROGRAM OVER THE PAST FEW YEARS FOR YOU. THERE HAVE BEEN A SERIES OF OVERT AND COVERT EFFORTS TO END THE PROGRAM--RANGING FROM PROPOSALS TO REPEAL THE LAW TO ATTEMPTS TO UNDERMINE IT OR IGNORE IT. THERE HAVE BEEN INVESTIGATIVE FISHING EXPEDITIONS, OFFICIAL HARRASSMENT, AND ECONOMIC BARRIERS TO SERVICES.

THE FIRST AND MOST OBVIOUS STATEMENT OF THE ADMINISTRATION'S INTENT WAS THE PROPOSAL TO REPEAL TITLE TEN. IN 1981 THAT PROPOSAL WAS CAMOUFLAGED AS A BUDGET MATTER AND HIDDEN WITHIN THE PRESIDENT'S BUDGET BILL.

THAT YEAR THE PROPOSAL WAS TAKEN VERY SERIOUSLY: THE SENATE PASSED THE REPEAL AND IT WAS NOT UNTIL THE VERY LAST DAYS OF THE CONFERENCE MEETING WITH THE HOUSE THAT THE SENATE CHAIRMAN CONCEDED. (EVEN THEN HE AGREED TO THE REAUTHORIZATION RELUCTANTLY AND ONLY AFTER THE PRESIDENT HAD SENT A NOTE SAYING THAT THE ADMINISTRATION WOULD ATTEMPT TO RE-WRITE THE PROGRAM INTERNALLY WITHOUT CONGRESSIONAL INVOLVEMENT.)

THIS YEAR THE ADMINISTRATION AGAIN PROPOSED THAT THE PROGRAM BE REPEALED AS PART OF THE BUDGET PROCESS, BUT NO ONE IN THE CONGRESS EVEN INTRODUCED THE PROPOSAL. WHATEVER THE ADMINISTRATION'S OWN AGENDA FOR THE PROGRAM, IT IS CLEAR THAT THE CONGRESS IS COMMITTED TO MAINTAINING SERVICES.

OVER THE PAST YEAR, HOWEVER, THE REAGAN ADMINISTRATION HAS TAKEN ALL AVAILABLE--AND SOME UNAVAILABLE--OPPORTUNITIES TO RESTRICT FAMILY PLANNING SERVICES. ACTING AS A LAW UNTO ITSELF, H.H.S. HAS PUBLISHED REGULATIONS REQUIRING HOSPITALS AND CLINICS TO NOTIFY THE PARENTS OF A TEENAGE GIRL THAT SHE HAS COME IN AND TALKED TO A PHYSICIAN AND THAT THE PHYSICIAN HAS MADE A RECOMMENDATION AND WRITTEN A PRESCRIPTION.

I BELIEVE SUCH REGULATIONS ARE ILLEGAL.

THEY GO FAR BEYOND THE AUTHORITY THE ADMINISTRATION HAS BEEN GIVEN AND ARE A DELIBERATE DISREGARD OF THE LAWS PASSED BY CONGRESS. I KNOW THEY DO NOT REFLECT THE CONGRESS'S INTENT BECAUSE I AUTHORED THE SECTION OF THE LAW THAT THE ADMINISTRATION IS USING TO RATIONALIZE THE REGS.

THE PROPOSED RULE IS AN INVASION OF THE PRIVACY THAT PEOPLE EXPECT AND NEED IN MEDICAL CARE.

MORE IMPORTANTLY, REQUIREMENT OF PARENTAL NOTIFICATION IS A BAD HEALTH POLICY. ADOLESCENTS AND PARENTS SHOULD BE ENCOURAGED TO COMMUNICATE THEIR PLANS AND THEIR CONCERNS. BUT IT SHOULD BE RECOGNIZED THAT THERE ARE THOSE FAMILIES IN WHICH COMMUNICATION--ESPECIALLY ON SUCH ISSUES AS SEXUALITY--IS ALTOGETHER ABSENT, AND NO FEDERAL MANDATE WILL IMPROVE SUCH RELATIONS.

INSTEAD, RATHER THAN RISK CONFRONTATION WITH POSSIBLY HOSTILE PARENTS, MANY TEENAGERS WILL SIMPLY NOT SEEK MEDICAL ADVICE OR ASSISTANCE AT ALL. THE RESULT WILL BE MORE TEENAGE PREGNANCIES AND MORE ABORTIONS.

IN EARLY FEBRUARY, BEFORE THE PROPOSED REGULATIONS WERE PUBLISHED, I HELD A HEARING ON THEM AND ON THEIR HEALTH EFFECTS. AT THAT TIME THE A.M.A. AND THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS TESTIFIED THAT "THE HEALTH AND WELL BEING OF MILLIONS OF YOUNG AMERICANS WOULD BE SEVERELY ENDANGERED" IF THE PROPOSAL TOOK EFFECT. IN TURN, SECRETARY SCHWEIKER SAID THAT THE REGULATIONS WOULD REMOVE "BIG BROTHER" FROM THE FAMILY AND TAKE DOWN "A BERLIN WALL" BETWEEN PARENTS AND CHILDREN.

FEW PEOPLE HAVE AGREED WITH HIM. BY THE CLOSE OF THE NINETY-DAY COMMENT PERIOD, MORE THAN EIGHTY THOUSAND PEOPLE HAD WRITTEN TO H.H.S. ABOUT THESE REGULATIONS. ONE REPORT HAS IT THAT THE LETTERS ARE SIX TO ONE OPPOSED TO THE REGS; ANOTHER SAYS NINE TO ONE.

AND OF THESE COMMENTS, EVERY ONE FROM A HEALTH OR MEDICAL ASSOCIATION CONDEMNS THE ADMINISTRATION PROPOSAL, SUGGESTING THAT THE REMOVAL OF SECRETARY SCHWEIKER'S "BERLIN WALL" IS ACTUALLY THE EXPLOSION OF THE ONE BRIDGE THAT MANY ADOLESCENTS HAVE TO MEDICAL CARE.

THE ISSUE IS, HOWEVER, STILL FAR FROM BEING RESOLVED. MRS. MECKLENBURG HAS BEEN QUOTED AS SAYING THAT WHATEVER THE COMMENTS MAY SAY, THE COMMENT PERIOD IS NOT A REFERENDUM.

BUT KNOWING THAT THE PROPOSAL IS IRRATIONAL AND UNPOPULAR, THE ADMINISTRATION HAS CAREFULLY AVOIDED ANY VISIBLE ACTIVITY ON NOTIFICATION DURING THE FALL CAMPAIGN SEASON. I FEEL SURE, HOWEVER, THAT NOW THAT THE REGULATIONS CAN DO NO ELECTORAL DAMAGE FOR TWO YEARS, H.H.S. WILL CONTINUE ON ITS OWN.

LESS OBVIOUSLY, THE ADMINISTRATION HAS FOUGHT THE WAR ON PLANNED PARENTHOOD ON SEVERAL OTHER FRONTS.

- O THE SERVICE DELIVERY IMPROVEMENT PROGRAM--WHICH FUNDS AGENCIES RANGING FROM JOHNS HOPKINS SCHOOL OF MEDICINE TO THE GIRLS CLUBS OF AMERICA--WAS ALSO A TARGET FOR ELIMINATION.

I AM HAPPY TO SAY THAT H.H.S. HAS BACKED DOWN AND THAT THESE PROGRAMS FOR TECHNICAL IMPROVEMENT WILL BE CONTINUED.

- O THE OFFICE OF FAMILY PLANNING WAS SLATED TO BE MOVED FROM WITHIN THE BUREAU OF COMMUNITY HEALTH SERVICES TO BE UNDER THE DIRECT SUPERVISION OF POLITICAL APPOINTEES WITHOUT PUBLIC HEALTH OR MEDICAL EXPERIENCE.

I AM HAPPY TO SAY THAT H.H.S HAS BACKED DOWN AND THAT THE PROGRAM WILL REMAIN INTACT AND IN PLACE.

- O THE H.H.S. INSPECTOR GENERAL WAS CALLED IN TO DO SIX TIMES THE USUAL NUMBER OF AUDITS OF TITLE TEN GRANTEES. MOREOVER, TWO SENATE OPPONENTS OF FAMILY PLANNING ASKED THE GENERAL ACCOUNTING OFFICE TO EXAMINE THE PROGRAM, LOOKING FOR ANY POSSIBLE VIOLATION OF THE LAW AND EVEN GOING SO FAR AS TO ASK THAT THE GAO LOOK FOR EVIDENCE AGAINST THE PLANNED PARENTHOOD FEDERATION IN PARTICULAR.

I AM HAPPY TO SAY THAT ALL THIRTY-TWO AUDITS AS WELL AS THE GAO REPORT CONFIRM THAT FAMILY PLANNING CLINICS ARE DOING THEIR JOBS AND DOING THEM WELL.

- O THE ADMINISTRATION PROPOSED AS PART OF ITS MEDICAID CUTS THIS YEAR THAT THE UNIFORM 90 PER CENT FEDERAL MATCHING PAYMENT FOR FAMILY PLANNING SERVICES BE REDUCED TO THE MATCH FOR ALL OTHER MEDICAL SERVICES, A CUT OF AS MUCH AS 40% IN SOME STATES.

I AM HAPPY TO SAY THAT AFTER SOME WORK IN MY COMMITTEE AND IN THE CONFERENCE, THIS PROPOSAL WAS DROPPED AND THE MATCHING RATE HAS BEEN PRESERVED.

WE HAVE NOT WON EVERY FIGHT:

- O TITLE TEN'S FUNDING HAS BEEN CUT.
- O SOME OF THE PROGRAM'S BEST CAREER STAFF HAVE BEEN TRANSFERRED AND REPLACED BY POLITICAL APPOINTEES; AND
- O MANY OF THE EDUCATIONAL MATERIALS HAVE BEEN DISCONTINUED AND OTHERS ARE AVAILABLE ONLY AT HIGH COSTS.

BUT DESPITE ALL-OUT ATTACK, THE FEDERAL FAMILY PLANNING PROGRAM HAS CONTINUED TO PROVIDE MEDICAL SERVICES TO THOSE WHO NEED THEM. BY DOING SO, YOU AND THE AGENCIES YOU REPRESENT HAVE CONTINUED TO SHOW THAT PRIVACY, PERSONAL CHOICE, AND REPRODUCTIVE FREEDOM ARE STILL AMERICAN RIGHTS. YOU HAVE DEMONSTRATED THAT VICTORIAN HYPOCRISY SHOULD REMAIN A PART OF THE NINETEENTH CENTURY AND NOT A PART OF MODERN HEALTH CARE.

IN THE COMING TWO YEARS YOU WILL NEED TO DO MUCH OF THIS WORK
ONCE MORE.

THE NEXT TIME THAT THE ENTIRE FEDERAL FAMILY PLANNING PROGRAM IS
UP FOR RE-AUTHORIZATION IS 1984. THE DISCUSSION OF REPRODUCTIVE
RIGHTS AND THE AVAILABILITY OF HEALTH CARE WILL OCCUR IN THE MIDST OF
A POLITICALLY CHARGED ELECTION YEAR, A TIME WHEN FEAR AND
MISINFORMATION CAN BE MORE POWERFUL THAN REASON.

BUT FAMILY PLANNING PROGRAMS DO NOT NEED TO BE A VICTIM OF THIS
PROCESS OF EQUIVOCATION AND GRAND-STANDING IF YOU BEGIN YOUR
PREPARATION NOW.

POLL AFTER POLL SHOW THAT AMERICANS BELIEVE THAT FAMILY PLANNING
IS A PRIVATE MATTER AND THAT THE GOVERNMENT SHOULD NOT CUT OFF ACCESS
TO SERVICES. AND YOU HAVE SHOWN IN VOTE AFTER DIFFICULT VOTE THAT THE
MAJORITY OF THE CONGRESS UNDERSTANDS THAT BELIEF AND IS WILLING TO
REPRESENT IT.

IN 1984, HOWEVER, THE PROGRAM WILL ONCE AGAIN BE VULNERABLE TO
THE REPRESSION OF THE WHITE HOUSE AND A FEW POWERFUL MEMBERS OF THE
SENATE. YOU CAN OVERCOME THEIR CONTROL ONLY WHEN YOU CONVINCE ALL
OTHER MEMBERS OF CONGRESS THAT FAMILY PLANNING IS NOT A PARTISAN
ISSUE, THAT IT IS AN ISSUE OF HEALTH CARE AND INDIVIDUAL RIGHTS THAT
MEMBERS OF EITHER PARTY CAN SUPPORT.

I ENCOURAGE YOU TO BEGIN THAT WORK RIGHT NOW:

TO SHOW LIBERALS YOUR GOOD WORKS;

TO REMIND MODERATES THAT IMPORTANT CIVIL LIBERTIES AND PRIVACY
RIGHTS ARE AT STAKE; AND

TO POINT OUT TO CONSERVATIVES THAT THE PROGRAM IS COST-EFFECTIVE.

I DOUBT THAT WE WILL BRING ABOUT CONSENSUS. BUT WHEN YOU HAVE
EDUCATED THE CONGRESS ABOUT WHAT IS AND IS NOT PART OF FAMILY
PLANNING, PERHAPS WE CAN SHOW THAT SINGLE-ISSUE POLITICIANS ARE
PREACHING ONLY TO THEMSELVES.

WE HAVE FOUGHT TOO LONG TO PROTECT A POPULAR PROGRAM. WITH YOUR
WORK DURING THE NEXT TWO YEARS, PERHAPS WE CAN BRING TITLE TEN BACK
INTO FOCUS AS A HEALTH PROGRAM.

I LOOK FORWARD TO WORKING WITH YOU.